

1 HONORABLE THOMAS S. ZILLY
2 Trial Date: April 20, 2020

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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 TRAVIS K. LOGG,

11 Plaintiff,

12 vs.

13 ABILENE MOTOR EXPRESS, INC., and
14 DAVID W. BROOKS,

15 Defendants.

16 No. 18-cv01398 TSZ

17 STIPULATED MOTION AND ORDER
18 TO EXTEND CERTAIN EXPERT
19 DISCOVERY DEADLINES

20 **STIPULATION**

21 The parties, by and through counsel, stipulate to and move for an Order extending the
22 timelines to disclose expert opinions of liability expert witnesses. The parties are aware of and
23 have complied with *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 607-08 (9th Cir.
24 1992) and state that they have used due diligence and believe that there is good cause to grant
25 the brief extension requested as set forth below:

26 Both parties represent that they have been diligently working to obtain all necessary
depositions and that a multiple depositions have been taken. Despite the parties' efforts two (2)
of the depositions will be unable to be taken required to meet the scheduling deadlines despite

STIPULATED MOTION AND ORDER TO
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DEADLINES (Cause No. 18-cv01398 TSZ) – 1
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1 the parties' diligence. The current deadline to disclose all expert opinions is November 15,
2 2019, with rebuttal reports due 30 days later. However, the parties need to complete the Rule
3 30(b)(6) deposition of Defendant Abilene Motor Express, Inc. and the deposition of Defendant
4 David Brooks before disclosing liability expert reports and opinions, both of which were
5 previously scheduled and are now scheduled to take place in Richmond, Virginia on December
6 5, 2019. The parties have agreed on the topics, location, and deponents. Despite best efforts,
7 given personal issues of the deponents, the deponents were not available on earlier dates.
8

9 Granting a brief extension will avoid the need for supplemental reports being produced
10 just before rebuttal reports are produced based on the testimony from those depositions. It will
11 also avoid the need for supplemental rebuttal reports.

12 To avoid discovery disputes and promote efficiency, the parties propose amending the
13 deadlines to disclose liability experts ONLY as follows (1) extending the initial expert
14 disclosure deadline from November 15, 2019 to December 13, 2019 (10 days after the two
15 depositions to allow the court reporter time to prepare the depositions and liability experts time
16 to review the deposition transcripts) and (2) extending the rebuttal expert disclosure deadline
17 from December 15, 2019 to December 20, 2019 (5 additional days). The parties are not
18 requesting a change to any other expert witness deadlines, like medical experts or damages
19 experts.

21 The parties have also agreed to disclose the identity, CVs, past testimony list, and
22 publication lists of all their retained experts, including liability experts, on November 15, 2019,
23 but wait until December 13, 2019, to disclose the liability expert opinions as outlined above.
24 Moreover, this requested extension will not affect the other case deadlines or require an
25 extension to the discovery deadlines or trial date.

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STIPULATED MOTION AND ORDER TO
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1 DATED: November 8, 2019.

2	Attorney for Plaintiff: <u>s/ Morgan G. Adams (approved for e-</u> <u>signature)</u> Morgan G. Adams, WSBA No. 51071 Seattle Truck Law, PLLC 222 Alaskan Way Seattle, WA 98104 Phone: 206-456-2525 Email: Adams@truckwreckjustice.com	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 Attorney for Plaintiff: <u>s/ Christopher M. Davis (approved for e-</u> <u>signature)</u> Christopher M. Davis, WSBA No. 23234 Davis Law Group, P.S. 2101 Fourth Avenue, Suite 1030 Seattle, WA 98121-2328 Phone: 206-727-4000 ext. 101 Email: chris@davislawgroupseattle.com
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ORDER

IT IS HEREBY ORDERED:

1. The parties' stipulated motion, docket no. 21, is GRANTED.
2. The initial expert disclosure deadline is hereby extended from November 15, 2019 to December 13, 2019.
3. The parties shall disclose the identity, CVs, past testimony list, and publication lists of all their retained experts, including liability experts, on November 15, 2019.
4. The rebuttal expert disclosure deadline is hereby extended from December 15, 2019 to December 20, 2019.
5. No other case deadlines are affected by this Order.

DATED this 15th day of November, 2019.

Thomas S. Ballew

Thomas S. Zilly
United States District Judge

**STIPULATED MOTION AND ORDER TO
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